

Children and Young Persons (Care and Protection) Amendment (Body Piercing and Tattooing) Act 2008 No 78

[2008-78]



New South Wales

Status Information

Currency of version

Repealed version for 5 November 2008 to 3 December 2008 (accessed 28 April 2024 at 20:03)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

None of the provisions displayed in this version of the legislation have commenced.

Notes—

- **Repeal**

The Act was repealed by sec 4 (1) of this Act with effect from 4.12.2008.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 4 December 2008

Children and Young Persons (Care and Protection) Amendment (Body Piercing and Tattooing) Act 2008 No 78



New South Wales

Contents

Long title 3

1 Name of Act..... 3

2 Commencement 3

3 Amendment of Children and Young Persons (Care and Protection) Act 1998 No 157 3

4 Repeal of Act 3

Schedule 1 Amendments 3

Children and Young Persons (Care and Protection) Amendment (Body Piercing and Tattooing) Act 2008 No 78



New South Wales

An Act to amend the *Children and Young Persons (Care and Protection) Act 1998* relating to body piercing and tattooing of children and young persons.

1 Name of Act

This Act is the *Children and Young Persons (Care and Protection) Amendment (Body Piercing and Tattooing) Act 2008*.

2 Commencement

This Act commences on the day occurring 28 days after the date of assent to the Act.

3 Amendment of *Children and Young Persons (Care and Protection) Act 1998 No 157*

The *Children and Young Persons (Care and Protection) Act 1998* is amended as set out in Schedule 1.

4 Repeal of Act

(1) This Act is repealed on the day following the day on which the Act commences.

(2) The repeal of this Act does not, because of the operation of section 30 of the *Interpretation Act 1987*, affect any amendment made by this Act.

Schedule 1 Amendments

(Section 3)

[1] Section 230

Omit the section. Insert instead:

230 Tattooing of children and young persons

(1) In this section, **tattooing** means any procedure the purpose of which is to make

a permanent mark on the skin of a person, and includes the procedures known as scarification, branding and beading.

- (2) A person must not perform tattooing on any part of a child's or young person's body unless the person has first obtained the consent of a parent of the child or young person, given in accordance with this section, to the tattooing of the child or young person in that manner and on that part of the child's or young person's body.

Maximum penalty: 200 penalty units.

- (3) The consent of a parent to the tattooing must be given in person by a parent accompanying the child or young person or in writing.

[2] Section 230A

Insert after section 230:

230A Body piercing of children

- (1) In this section, **body piercing** means piercing a part of the body of a person to insert a ring, bar or other thing through that body part.
- (2) A person must not perform body piercing on any part of:
- (a) the genitalia of a child, or
 - (b) the nipples of a child.

Maximum penalty: 200 penalty units.

- (3) It is not a defence to a prosecution for an offence under subsection (2) that the child or a parent of the child consented to the body piercing of the child.
- (4) A person must not perform body piercing on any other part of a child's body unless the person has first obtained the consent of a parent of the child, given in accordance with this section, to the body piercing of that part of the child's body.

Maximum penalty: 30 penalty units.

- (5) The consent of a parent to the body piercing must be given in person by a parent accompanying the child or in writing.
- (6) This section does not apply in relation to any body piercing performed for a medical purpose.

[3] Schedule 3 Savings, transitional and other provisions

Insert at the end of clause 1 (1):

Children and Young Persons (Care and Protection) Amendment (Body Piercing and Tattooing) Act 2008